



Order Filed on June 20, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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for U.S. Bank Trust National Association, as Trustee
of the Igloo Series IV Trust

In Re:

Portia D. Davis
Debtor

Case No.: 19-16905-ABA

Chapter: 13


Hon. Judge: Andrew B. Altenburg

Hearing Date: June 4, 2024 at
10:00AM

CONSENT ORDER RESOLVING MOTION TO REIMPOSE AUTOMATIC STAY

The consent order set forth on the following pages, numbered two (2) through four (4), is hereby **ORDERED**.

DATED: June 20, 2024



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Secured Creditor: SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of the Igloo Series IV Trust

Secured Creditor's Counsel: Friedman Vartolo LLP

Debtor's Counsel: McDowell Law, PC

Property (Collateral): 557 Royden Street, Camden, NJ 08103

Relief Sought:

- Reimpose Automatic Stay

For good cause shown, it is **ORDERED** that Debtor's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor(s) is/are overdue for 0 months, from 05/01/2024.
- ☒ The Debtor(s) is/are overdue for 0 payments at \$468.56 per month
- ☒ The Debtor(s) is/are due for \$739.35 in post-petition fees per notices dated

08/17/2021 and 02/22/2022.

- ☒ The Debtor(s) is/are due for \$0.00 in accrued late charges.
- ☒ The Debtor(s) is/are due for \$200.00 in attorney's fees and costs.
- ☒ Secured Creditor acknowledges suspense funds in the amount of \$251.44.

Total Arrearages Due: \$687.91

2. Debtor(s) must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$_____. Payment shall be made by _____.

☒ Beginning on June 1, 2024, regular monthly mortgage payments shall continue to be made in the amount of \$468.56. Any suspense will act as an offset the most recent payment due.

☐ Beginning on _____, through and including _____, additional monthly cure payments shall be made in the amount of \$_____ for __ months; and beginning on _____, an additional monthly cure payment shall be made in the amount of \$_____ for __ month.

☒ The amount of \$739.35 shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a

Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly. This is exclusive of the award of attorney's fees in paragraph 5 below.

3. Payments to the Secured Creditor shall be made to the following address:

Payments: SN Servicing Corporation
P.O. Box 660820
Dallas, TX 75266-0820

4. In the event of default:

☒ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtor(s) converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$200.00 and costs of \$0.00.

The fees and costs are payable:

- ☐ Attorney's fees and costs have been included in the Consent Order.
- ☒ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- ☐ To the Secured Creditor within _____ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

The undersigned hereby consent to the form and entry of the foregoing order.



Thomas G. Egner, Esq.
Attorney for Debtor

/s/ Jason Schwartz

Jason Schwartz, Esq.
Attorney for Secured Creditor